UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,961	04/19/2001	Diaz Nesamoney	INFO-P011	1677

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EXAMINER
ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/838,961	NESAMONEY ET AL.
	Examiner	**Art Unit**	
	Neveen Abel-Jalil	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u> .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Liddy et al.</u>

(U. S. Patent No. 6,026,388) in view of <u>Papierniak et al.</u> (U.S. Patent No. 6,151,601).

As to claims 1, 11, and 21, <u>Liddy et al.</u> discloses a method for facilitating access to

information defined by an analytic application, a computer system comprising:

a bus (See figure 1, 32, bus, see column 6, lines 62-67);

a memory unit (See figure 1, 35, program and data storage, also see column 6, lines 27-

35) coupled to said bus (See figure 1, 32, bus, also see column 5, lines 56-65); and

a processor (See figure 1, 30, processor) coupled to said bus (See figure 1, 32, bus, also

see column 5, lines 56-65), said processor (See column 5, lines 56-65) for executing a method

for facilitating access to information defined by an analytic application (See column 3, lines 63-

67, and column 4, lines 1-14, wherein "analytic application" reads on "analytic information,

cause/effect, dimension, prediction...") said method comprising the steps of:

a) receiving operational data from a data source (See column 5, lines 41-55, wherein

"data source" reads on "database");

<u>Libby et al.</u> does not disclose:

b) generating metrics from said operational data using said analytic application;

c) categorizing said metrics in a hierarchical organization navigable by a user;

d) receiving from a user a first selection identifying an instance of said metrics; and

e) sending said instance of said metrics to said user.

Papierniak et al. discloses:

b) generating metrics from said operational data (See column 14, lines 1-9, wherein "operational data" reads on "every aspect of business") using said analytic application (See column 9, lines 46-67, wherein "analytics application" reads on "modularize…functionality that makes sense");

c) categorizing said metrics in a hierarchical organization (See column 24, lines 40-65, wherein "hierarchical organization" reads on "table data mart or data warehouse") navigable by a user (See column 10, lines 43-52, wherein "navigable" reads on "selectable");

d) receiving from a user a first selection identifying an instance of said metrics (See column 23, lines 40-51, wherein "receiving from a user a first selection" reads on "query", and wherein "instance of said metrics" reads on "data"); and

e) sending said instance of said metrics to said user (See column 14, lines 56-61, wherein "instance of said metrics" reads on "data").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Libby et al. to include:

b) generating metrics from said operational data using said analytic application;

c) categorizing said metrics in a hierarchical organization navigable by a user;

d) receiving from a user a first selection identifying an instance of said metrics; and

e) sending said instance of said metrics to said user.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Libby et al. by the teaching of Papierniak et al. to include generating metrics of operational data organized in hierarchical organization and being user navigable because it provides the search engines less processing power for organizing and searching a structured database and allows the user faster control and access of the query search results. It also allows for accommodation of scalable data warehouse to provide Internet marketing decisions support (See Papierniak et al. column 2, lines 28-54).

As to claims 2, 12, and 22, Libby et al. as modified discloses wherein said hierarchical organization is user-specific (See column 9, lines 51-67, and column 10, lines 1-22).

As to claims 3, 13, and 23, Libby et al. as modified discloses wherein said hierarchical organization is linked to another hierarchical organization (See column 25, lines 14-29, wherein "organization" reads on "clusters").

As to claims 4, 14, and 24, Libby et al. does not disclose wherein said metric is sent to a wireless device.

Papiernaik et al. discloses wherein said metric is sent to a wireless device (See column 12, lines 5-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have modified Libby et al. to include wherein said metric is sent to a

wireless device.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified Libby et al. by the teaching of Papierniak et al. to include wherein

said metric is sent to a wireless device because wireless connections are ubiquitous, allowing for

reduction in costs by timely access to information and increase in availability.

As to claims 5, 15, and 25, Libby et al. as modified discloses further comprising the step

of: receiving registration information from a user, said registration information specifying an

approach for delivery of data (See figure 8, 280f, shows "specifying an approach" being

represented by "Username" indicating customization and user centric approach, 280g, shows

"registration" represented by "sign-in", also see column 28, lines 45-57).

As to claims 6, 16, and 26, Libby et al. as modified discloses wherein said approach is

characterized as a data pull approach wherein said step e) is performed in response to an

initiating request from said user (See abstract, wherein "initiating request from said user " reads

on "user enters the query", and wherein "data pull approach" reads on "the system processes the

query to generate an alternative representation…displays query information to user").

As to claim 7, 17, and 27, Libby et al. as modified discloses wherein said approach is

characterized as a data push approach wherein said step e) is performed automatically in

response to a predefined requirement being met (See column 26, lines 14-39, wherein "data push approach" reads on "Informed Query Vector", and wherein "predefined" reads on "cut-off criterion produced by the initial query", also see column 10, lines 24-30, wherein "predefined" reads on "pre-determined").

As to claims 8, 18, and 28, Libby et al. as modified discloses wherein said step b) is performed on a periodic basis at predetermined intervals (See Papierniak et al. column 15, lines 31-43, wherein "predetermined intervals" reads on "defined period of time").

As to claims 9, 19, and 29, Libby et al. as modified discloses wherein said step b) is performed in response to an initiating request from a user (See Papierniak et al. column 28, lines 46-53, wherein "initiating request from user" reads on "user preferences", also see Papierniak et al. column 20, lines 30-54, and see Papierniak et al. column 24, lines 51-65).

As to claims 10, 20, and 30, Libby et al. as modified discloses wherein said step b) is performed automatically as an instance of data used for generating a particular metric is updated (See column 8, lines 41-47, wherein "automatically" reads on "MLM Module" and wherein "instance of data" reads on "query results", also see Papierniak et al. column 10, lines 50-55, wherein "automatically" reads on "proactive" and wherein "instance of data used ....metric" reads on "feedback...bill-back...usage information").

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Agrawal et al. (U.S. Patent No. 6,233,575)

Borgida et al. (U.S. Patent No. 5,806,060)

Knutson et al. (U.S. Patent No. 5,870,746).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Neveen Abel-Jalil
February 7, 2003

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